

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MAKESI SADENAI LOPEZ,

Plaintiff,

-against-

NASSAU COUNTY CORRECTIONAL  
FACILITY *et al*,

Defendants.  
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**AZRACK, District Judge:**

On September 4, 2018, pro se Plaintiff Makesi Sadenai Lopez (“Plaintiff”) commenced this action against Defendants Nassau County Correctional Facility, Correction Officer Cruz, #3149, Correction Officer Morano #2552, Correction Officer Schmitt, and Correction Officer #2575, (collectively, “Defendants”), alleging, inter alia, that Defendants violated his civil rights, pursuant to 42 U.S.C. § 1983. On February 22, 2022, Judge Wicks sua sponte issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s complaint be dismissed with prejudice.

In reviewing a magistrate judge’s report and recommendation, the court must “make a de novo determination of those portions of the report or . . . recommendations to which objection[s][are] made.” 28 U.S.C. § 636(b)(1)(C); see also *Brown v. Ebert*, No. 05–CV–5579, 2006 WL 3851152, at \*2 (S.D.N.Y. Dec. 29, 2006). The court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Those portions of a report and recommendation to which there is no specific reasoned objection are reviewed for clear error. See *Pall Corp. v. Entegris, Inc.*, 249 F.R.D. 48, 51 (E.D.N.Y. 2008).

**FILED  
CLERK**

4:25 pm, Apr 05, 2022

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

**ORDER**

18-CV-5038(JMA)(JMW)

To date, no objections have been filed to the R&R and the deadline for filing any such objections has passed.

I have reviewed Judge Wicks' R&R for clear error, and finding none, I adopt the R&R in its entirety as the opinion of this Court. Accordingly, this action is dismissed, with prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

The Clerk of the Court is directed to close this case. The Clerk is further directed to mail a copy of this Order to the pro se plaintiff at his last known address.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

**SO ORDERED.**

Dated: April 5, 2022  
Central Islip, New York

\_\_\_\_\_/s/ JMA\_\_\_\_\_  
JOAN M. AZRACK  
UNITED STATES DISTRICT JUDGE